

Before the Court is a Recommendation from United States Magistrate Judge Thomas Q. Langstaff in this 42 U.S.C. Section 1983 civil rights action. (Doc. 11.) Upon conducting a preliminary review of Plaintiff Porter's complaint, in accordance with 28 U.S.C. Section 1915(e)(2), Judge Langstaff recommends that the Court dismiss all of Plaintiff Porter's claims against Defendants Sproul, Lewis, and Haggerty. Judge Langstaff also recommends that the Court dismiss Porter's Fifth Amendment Due Process claim, First Amendment retaliation claim, and Sixth Amendment claim and allow Porter's Fourteenth Amendment due process claim and Eighth Amendment cruel and unusual punishment claim to proceed. Plaintiff Porter did not object to the Recommendation, though he was provided notice of the deadline for filing objections in Judge Langstaff's Recommendation.

1

Amendment due process claim and Eighth Amendment cruel and unusual punishment claim shall be allowed to proceed as to Defendants Ostrander, Faulk, Parks, Brock, and Farley.

SO ORDERED, this 4th day of November, 2014.

/s/ W. Louis Sands

W. LOUIS SANDS, JUDGE

UNITED STATES DISTRICT COURT